

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
ROBERT S. GANS

Petitioner and Cross-Respondent,

-against-

BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLPRespondent and Cross-Petitioner.
-----X

: ECF Case

: 07 CV 9328 (LTS)(THK)

: **ORDER**

Laura Taylor Swain, District Judge:

Upon the petition by Petitioner and Cross-Respondent Robert S. Gans, dated October 16, 2007, and upon the response and cross-petition by Respondent and Cross-Petitioner Bernstein Litowitz Berger & Grossmann LLP, dated November 6, 2007, both of which seek, pursuant to 9 U.S.C. §9, to confirm the Award of Arbitrators dated September 20, 2007, rendered by a panel of the American Arbitration Association in the arbitration entitled *Robert S. Gans v. Bernstein Litowitz Berger and Grossman LLP*, Case No. 13 180 00022 07 ("the Award"), it is hereby

ORDERED that the petition and cross-petition are granted and the Award is hereby confirmed.

IT IS FURTHER ORDERED that Respondent pay to Petitioner, from the escrow account Respondent established to hold monies it owes Petitioner ("Escrow Account"), the sum of \$4,091,436.23 plus interest earned on this amount after October 1, 2007.

IT IS FURTHER ORDERED that Respondent pay to Petitioner additional interest, paid from funds other than those in the Escrow Account, in the sum of \$84,810.79, plus the difference between the interest actually earned on \$4,091,436.23 after October 1, 2007 and the interest that would have been earned at 9%.

SO ORDERED:

Dated: New York, New York
November ____, 2007_____
United States District Judge